



Atty. Dkt. No. 072121-0371

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David CHIEN et al.

Title: DEVICE AND METHOD FOR IN-LINE BLOOD TESTING USING BIOCHIPS

Appl. No.: 10/733,767

Filing Date: 12/12/2003

Examiner: Unassigned

Art Unit: 1744

**TRANSMITTAL OF MISSING PARTS**  
**OF PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed 09/10/2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- [ X ] Return Copy of Notice to File Missing Parts (3 pages)
- [ X ] Executed Declaration and Power of Attorney (2 pages)
- [ X ] Transmittal of Formal Drawings (1 page)
- [ X ] Formal Drawings (22 Sheets, Figs. 1A – 15)
- [ X ] Preliminary Amendment (7 pages)
- [ X ] Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821-1.825 (1 page)
- [ X ] 1 diskette containing CRF of Sequence Listing
- [ X ] Paper Copy of Sequence Listing (2 pages)

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$790.00	\$790.00
Total Claims:	55	- 20	= 35	x \$18.00	= \$630.00
Independents:	3	- 3	= 0	x \$88.00	= \$0.00
If any Multiple Dependent Claim(s) present:			+	\$300.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee			+	\$130.00	= \$130.00
				SUBTOTAL:	= \$1,550.00
[ ] Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$1,550.00
				TOTAL FEE	= \$1,550.00
Difference to pay:				- \$0.00	- \$1,550.00

[ X ] Check in the amount of \$1,550.00 in payment of  
surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 8, 2024

By Richard C. Peet

FOLEY & LARDNER LLP  
Customer Number: 27476  
Telephone: (202) 672-5483  
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Richard C. Peet  
Attorney for Applicant  
Registration No. 35,792



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Title: DEVICE AND METHOD FOR IN-LINE BLOOD TESTING USING BIOCHIPS  
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Examiner: Unassigned  
Art Unit: 1744

**TRANSMITTAL OF FORMAL DRAWINGS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: DRAWING REVIEW BRANCH

Sir:

Transmitted herewith are the formal drawings (22 sheets, Figures 1A – 15) for the above-identified application. The Official Draftsperson is respectfully requested to approve these drawings for entry into the application.

Respectfully submitted,

Date November 8, 2004

By Richard C. Peet

FOLEY & LARDNER LLP  
Customer Number: 27476  
Telephone: (202) 672-5483  
Facsimile: (202) 672-5399

Richard C. Peet  
Attorney for Applicant  
Registration No. 35,792



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/733,767	12/12/2003	David Chien	072121-0371

27476  
Chiron Corporation  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, CA 94662-8097



CONFIRMATION NO. 9347  
FORMALITIES LETTER



\*OC000000013782293\*

Date Mailed: 09/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/09/2004 SDENBOB1 00000022 10733767

01 FC:1001  
02 FC:1001  
03 FC:1202

790.00 OP  
130.00 OP  
630.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

DOCKETED on 9/16/04 by [signature]  
Atty. [signature]  
File # PP191080.002  
Due Date 11/10/04 MP5 S15 FD5  
Final Date 11/10/05 MP5 S15 FD5

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figure(s) 1B.
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 4B, 4C, 4D, 5, 6, 7A, 7B, 8, 9, 10, 11A, 11B, 11C, 12.

\*  
see  
note  
on  
post-i

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$630 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1530** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$630**
  - **\$630** for **35** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "Minghan", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY